

Francis Grandinetti, II vs. Earnest Taylor, et al

1. Plaintiff's Motion for Extension of Time to and including June 10, 2007 to file objections (Doc. No. 4), is DENIED;

2. Plaintiff is GRANTED an extension from May 9, 2007 to May 23, 2007 to file his objections. No further requests for additional time to file objections shall be entertained by the court. Court.

Done, this 11th day of May 2007.

/s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
UNITED STATES MAGISTRATE JUDGE

Written Objections And Motion

The Plaintiff at bar has written objections to the R & R of the Magistrate Judge, and the U.S. District Judge should "preempt jurisdiction." The U.S. Magistrate Judge's Act is not consented to in this case. 28 U.S.C. 5636.

Objections:

1. Venue is at Alabama, federal district court, wherever the ADCC-CCA contracts and lawsuits may be sued for, under the PLRA. For the time period before the ADCC contracts, venue is raised: For venue with ADCC, CDOC, HI-PSD, Alabama is appropriate. California DOC is reportedly going to CCA/TCCF, and may be joindered in the litigation. (Class-Action.)
2. CCA/TCCF #1403, is a "federal detention jail" or "federal transfer center," managed or operated by TransCor America and CCA. "County law" or "state law" is not governing. Federal law is governing, under Bivens or USMS/BOP agency.
3. For "exhaustion of administrative remedies," of lawsuit, the DOJ/USMS policies are applicable; and 42 U.S.C. §12134(a), is invoked. This case should be referred to the U.S. Attorney/DOJ, in Montgomery or Birmingham, Alabama, for remedies.
4. The PLRA is challenged: 1 year injunctive relief, fee cap on attorney costs, the "3-strikes" clause; and the "anywhere" in the U.S. detention clause, for court bans.
5. The case should now be dismissed without prejudice, pending remedies, amendments, and fee requirements. The case at bar is dismissed on motion herein, before the May 23, 2007 deadline. (Estoppel bars to final judgments, appeals, etc.) 42 U.S.C. §1997e(a).

Dated: May 17, 2007, Thursday.
(28 U.S.C. §1746.)

By: Francis A. Grandinetti, II

Plaintiff-Appellant, Pro Se

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

FRANCIS A. GRANDINETTI, II
#A-185 087

Plaintiff,

v.

WARDEN ERNEST TAYLOR, CCA/TCCF,
et al.,

Defendant. S

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2:07-CV-346-MHT

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ORDER ON MOTION

Plaintiff seeks an extension to and including June 10, 2007 to file objections to the Recommendation of the Magistrate Judge entered on April 27, 2007. Plaintiff's request that he be allowed an additional thirty days to file objections to the April 27 Recommendation shall be denied. The original objection period is 13 days. The purpose of filing objections is to specifically identify findings in the Recommendation to which Plaintiff has an objection. The purpose is not to re-argue the merits of the complaint nor to present additional arguments. Citation to legal authority is not required. Frivolous, conclusive, or general objections will not be considered. Additionally, Rule 8(e)(1), *Federal Rules of Civil Procedure*, directs that [e]ach averment of a pleading shall be **simple, concise, and direct**.

In light of the foregoing, Plaintiff shall be granted an additional fourteen (14) day time period within which file his objections. No additional time to file objections shall be entertained by the court. *Court.*

Accordingly, it is ORDERED that:

Quote
marks
missing.

Case: 2:07cv346

RECEIVED

2007 MAY 24 A 9:39

Address Changes/Corrections

FRANCIS A. GRANDINETTI II
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Francis A. Grandinetti II A-0185087
CCA/TCCF Contractor #1403
295 U.S. Hwy. 49 South
Tutwiler, MS 38963-5072

H-16 #202-B Segregation Unit, ID#243444

① TO ATTORNEYS OF RECORD: Electronic Noticing is MANDATORY in the District Court for the Middle District of Alabama.

By order of the court (General order 04-3164) Electronic Noticing is mandatory for all attorneys who wish to practice in this district.

② ATTORNEYS, If you have received this notice by mail, you have not yet complied with this order, according to our records. Please register IMMEDIATELY!

The mandatory registration form for attorneys can be accessed through our web site (www.almd.uscourts.gov, click on the CM/ECF icon. At the CM/ECF welcome page, click on the Registration button). The form can be completed and submitted on-line

If you have any questions or need help with our Case Management/Electronic Case Files (CM/ECF) system, please call our help desk on 334.954.3935.

Counsel/Attorney Registration

Law Offices of Stanton C. Oshiro, P.C.
Stanton C. Oshiro, Esq., HSB A4009
1287 E Kilauea Avenue and 168-C Keawe St.
Hilo, HI 96720
Tel. (808) 935-3348.

Counsel of record for Plaintiff, Pro Se.
93-CR-142 Hilo and 88-CR-2074 Honolulu.

Francis A. Grandinetti II
Plaintiff-Appellant, Pro Se

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UNITED STATES DISTRICT COURT
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Proof of Mailing:

2:07 CV 346 MHT
Doc. 5-4 order
Received on:
May 15, 2007,
Tuesday.

X *For*
Amendinatti
Plaintiff

Mailbox Rule, FRAP 25(c):
May 17, 2007, Thursday.
(28 U.S.C. §1746.)

Grandinetti, Francis A., II
A-0185087 PSD-Hawaii (SID)
CCA/TCCF #1403 Contractor
295 U.S. Hwy. 49 South
Tutwiler MS 38963-5109

Legal Mail-USPS

No. 2:07-CV-0346 MHT
(R & R Written Obj. and
Motion.)

Office of the Clerk
United States District Court
M.D. of Alabama
P.O. Box 711
Montgomery AL 36101-0711

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